

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21087 of 2016

Arising Out of PS.Case No. -300 Year- 2014 Thana -PATLIPUTRA District- PATNA

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1. Sunny Kumar son of Munna Prasad, Resident of village- Mukhia Lodge,
East Manipura, Srinagar Gali, P.S.- Patliputra, District- Patna
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. B.N. Pandey, (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 07-09-2016

Heard Sri Sunil Kumar Pathak, the learned counsel
for the petitioner, and Mr. B. N. Pandey, the learned Additional
Public Prosecutor.

The petitioner seeks bail in Patliputra P.S. case No.
300 of 2014, corresponding to Sessions Trial No. 1074 of 2014,
registered under Section 364, 365,34, 302,201 of the Indian Penal
Code.

The prayer of petitioner for bail was earlier rejected
by this court vide order dated 06.04.2015 passed in Cr. Misc. No.
9721 of 2015 with a direction to the trial court to expedite the trial
and conclude the same within one year from the date of receipt/
production of a copy of the order but the trial has not yet been
concluded and about one and half years have elapsed.

It appears that in pursuance of confession of the
petitioner the dead body of the deceased was recovered from heap

of garbage.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

It appears that out of nine witnesses, six witnesses have already been examined and only three witnesses, besides the doctor, are yet to be examined. The trial court is directed to expedite the trial and hold the trial on day to day basis and conclude the same within four months.

The Senior Superintendent of Police, Patna is directed to ensure the attendance of remaining non-examined prosecution witnesses of Patliputra P.S. case No. 300 of 2014 corresponding to Sessions Trial No. 1074 of 2014 in the court of learned 9th Additional Sessions Judge, Patna so that the trial must be concluded within four months. If the trial is not concluded within four months, the petitioner may renew his prayer for bail.

Let a copy of this order be sent to the learned 9th Additional Sessions Judge-Patna as well as Senior Superintendent of Police, Patna for information through fax.

(Prabhat Kumar Jha, J)

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